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 2 Exhibits: 30-35
 3 UNITED STATES DISTRICT COURT
 4 DISTRICT OF MASSACHUSETTS
 5 C.A.#: 04-CV-11610-RGS

6 VISIBLE SYSTEMS CORPORATION,

7 Plaintiff

8 VS.

9 UNISYS CORPORATION,

10 Defendant

11 DEPOSITION OF STEWART B. NASH, a
 12 witness called by and on behalf of the
 13 Defendant, pursuant to the provisions of
 14 the Federal Rules of Civil Procedure,
 15 before Joan Applegate, Certified
 16 Shorthand Reporter and Notary Public in
 17 and for the Commonwealth of
 18 Massachusetts, at the offices of
 19 Sugarman, Rogers, Barshak & Cohen, P.C.,
 20 101 Merrimac Street, Boston,
 21 Massachusetts, on Thursday, August 24,
 22 2006 commencing at 10:00 a.m.

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1 I N D E X

2 DEPONENT

3 Stewart B. Nash

4 EXAMINATION

5 (By Mr. Boesch)

PAGE

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6 E X H I B I T S

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10 31	Visible Systems Web site document	89
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16 34	Institute for Enterprise Architecture Developments	196
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19 35	Reserve Note dated March 26, 2004	210

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1 APPEARANCES:

2 William L. Boesch, Esq.
 3 Sugarman, Rogers, Barshak &
 4 Cohen, P.C.
 5 101 Merrimac Street
 6 Boston MA 02114
 7 On behalf of the Defendant;
 8 Joseph E. Rendini, Esq., Of Counsel
 9 Galebach Law Firm
 10 One Knollcrest Drive
 11 Andover MA 01810
 12 On behalf of the Plaintiff.

1 PROCEEDINGS

2 THE STENOGRAPHER: Mr. Rendini,
 3 are you going to want a copy?
 4 MR. RENDINI: Oh, yes.
 5 THE STENOGRAPHER: And a mini or
 6 an ASCII?

7 MR. RENDINI: Yes.

8 STIPULATIONS

9 It is hereby stipulated and
 10 agreed by and between counsel for the
 11 respective parties that the sealing,
 12 filing, and certification of the
 13 deposition are waived.

14 It is further stipulated and
 15 agreed by counsel that all objections,
 16 except as to the form of the question,
 17 are reserved until the time of trial.
 18 Motions to strike likewise are reserved
 19 until the time of trial.

20 The witness exercises his right
 21 to read the transcript and sign the
 22 original signature page under the pains
 23 and penalties of perjury. If the
 24 transcript is not signed within 30 days

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1 no secret. Jeff Smith?

2 **A. He left us also.**

3 **Q. And Clive Finkelstein?**

4 **A. Clive Finkelstein is not an employee, he**
 5 **is a consultant. He's got multiple**
 6 **relationships with us, essentially.**

7 **Q. Has his own company in Australia?**

8 **A. Yes. He's got a lot of relationships.**
 9 **He's a shareholder in the firm. He's a**
 10 **reseller of the products. He is an**
 11 **advisor to us on a variety of technical**
 12 **issues related to methodologies and so**
 13 **forth.**

14 **Q. So he's one of the group of ten, sort**
 15 **of, expert contractors that you referred**
 16 **to?**

17 **A. Yes.**

18 **Q. Is it possible to generalize about what**
 19 **functions the other experts serve for**
 20 **the company?**

21 **A. When you say "experts," are you**
 22 **referring to people on our witness list**
 23 **or just the consultants that we use?**

24 **Q. No, I'm using the term that you used,**
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1 the ten or so outside contractor
 2 consultants.

3 **A. Okay, those folks. Yeah, he's one of**
 4 **those folks. Did you want to know who**
 5 **the other ones are, is that the**
 6 **question?**

7 **Q. I don't necessarily need the names. My**
 8 **question was whether it's possible to**
 9 **say, in general, what that group of**
 10 **people does for Visible Systems.**

11 **A. No. There's a lot. They do a lot of**
 12 **different things, from advising us on**
 13 **methodologies and tool directions,**
 14 **technical directions for the company, to**
 15 **providing services that we sell, to**
 16 **providing programming support to us**
 17 **directly, to providing various kinds of**
 18 **consulting to clients, both initiated by**
 19 **us and initiated by them.**

20 **Q. Who provides consulting to clients when**
 21 **that is done?**

22 **A. Well, some of our own people do it, and**
 23 **some of this kind of stable of**
 24 **consultants that we use provide the**

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1 services.

2 **Q. Can you give me the names of the group**
 3 **of people who provide those services?**

4 MR. RENDINI: Including the in-
 5 house people?

6 MR. BOESCH: Including both
 7 categories.

8 **A. Okay. Karen and David and Russ all do,**
 9 **from our internal staff do consulting**
 10 **work from time to time. Additionally,**
 11 **we've used Peter Bell as a consultant.**
 12 **We've used --**

13 **Q. Where is he located?**

14 **A. He's located in Lexington, Virginia, if**
 15 **I am not mistaken. We've used Al**
 16 **Menendez and Joe Regan. We've used --**
 17 **Mike Cesino has done some consulting as**
 18 **well. We've used -- there's other folks**
 19 **we've used and partnered with, entities,**
 20 **more than people, that are in the**
 21 **stable. We've had a variety of**
 22 **partnerships over the years with other**
 23 **organizations whose primary business is**
 24 **consulting.**

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1 **Q. Are Bell, Menendez, and Regan part of**
 2 **the list of the ten outside contractors**
 3 **that you referred to?**

4 **A. Yes.**

5 **Q. Where is Mr. Menendez located?**

6 **A. In the Orlando, Florida area.**

7 **Q. And Mr. Regan?**

8 **A. The same.**

9 **Q. Does each of them have a particular area**
 10 **of specialty?**

11 **A. They are specialized around the**
 12 **configuration management tools space.**

13 **Q. That would be the Razor product?**

14 **A. Yes, mainly the Razor product. They**
 15 **also have some expertise in database**
 16 **analysis and design, which would be part**
 17 **of the modeling.**

18 THE WITNESS: I know I just
 19 asked for a break. Could I have another
 20 one?

21 MR. BOESCH: Sure.

22 (Whereupon there is a lunch
 23 recess commencing at 12:09 p.m.)

24 AFTERNOON SESSION
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